

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

John C. Prichard,
Plaintiff,

vs.

Case No. 1:11-cv-664

Commissioner of Social Security,
Defendant

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed April 2, 2012 (Doc. 14).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, we find the Magistrate Judge's Report and Recommendation correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Defendant's motion to dismiss or alternative motion for summary judgment is **DENIED AS MOOT**. Plaintiff's motion for a finding of excusable neglect is **DENIED AS MOOT**.

Date: April 26, 2012

s/Sandra S. Beckwith
Sandra S. Beckwith, Senior Judge
United States District Court